

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
43758-00253

In Re Application Of: **VORHEES ET AL.**

Serial No.	Filing Date	Examiner	Group Art Unit
NOT YET ASSIGNED	SEPTEMBER 17, 2003	NOT YET ASSIGNED	NOT YET ASSIGNED

Title: **"METHOD AND APPARATUS FOR PROVIDING NON-INVASIVE ULTRASOUND HEATING OF THE
PREOPTIC ANTERIOR HYPOTHALAMUS"**

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
43758-00253

In Re Application: **VORHEES ET AL.**

Serial No.
NOT YET

Filing Date
SEPTEMBER 17,

Examiner
NOT YET ASSIGNED

Group Art Unit
NOT YET ASSIGNED

**"METHOD AND APPARATUS FOR PROVIDING NON-INVASIVE ULTRASOUND HEATING OF
PREOPTIC ANTERIOR HYPOTHALAMUS"**

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-1419**
as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit
account is being facsimile transmitted to the United States
Patent and Trademark Office (F:

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

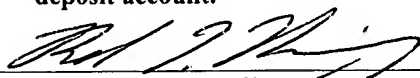
I certify that this document and fee is being deposited
on **SEPT. 17, 2003** with the U.S. Postal Service
as first class mail under 37 C.F.R. 1.8 and is
addressed to the Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450.


Signature of Person Mailing Correspondence

TERRI BELICH

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by
deposit account.


Signature

Dated: **SEPTEMBER 17, 2003**

RUSSELL T. MANNING
REGISTRATION NO. 51,260
MARSH FISCHMANN & BREYFOGLE LLP
3151 S. VAUGHN WAY #411
AURORA, CO 80014
720-562-5502

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to Applicant's duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicant hereby provides a copy of each of the documents identified on the enclosed PTO Form 1449, although Applicant does not admit that any of such documents, alone or in any combination, is considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicant that each such document is prior art as to the above-identified application.

MARSH FISCHMANN & BREYFOGLE LLP

Russell T. Manning
Registration No. 51,260
3151 South Vaughn Way, Suite 411
Aurora, Colorado 80014
(720)562-5502

Date: September 17, 2003

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

43758-00253

Application Number

NOT YET ASSIGNED

Applicant(s)

VORHEES ET AL.

Filing Date

SEPT. 17, 2003

Group Art Unit

NOT YET ASSIGNED

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1.	6,461,379	10/08/02	CARSON ET AL.	607	104	
	2.	6,156,057	12/05/00	FOX	607	96	
	3.	6,188,930	02/13/01	CARSON	607	101	
	4.	6,375,674	04/23/02	CARSON	607	104	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	5.	ZWEIFLER, ALDAY, VORHEES, CARSON; "A NOVEL METHOD TO INDUCE MILD HYPOTHERMIA VIA SURFACE COOLING"; AMERICAN ACADEMY OF NEUROLOGY 2000; MAY 5, 2000
	6.	TREMBLY, HOOPES, MOODIE, CARSON, VORHEES, BOULANT; "HYPOTHALAMUS WARMING FOR ISCHEMIA PROTECTION"; PROCEEDINGS OF THE INTERNATIONAL SYMPOSIUM ON BIOMEDICAL OPTICS; JANUARY 20, 2001

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

